

DEVELOPMENT REVIEW COMMITTEE

Tuesday, September 24, 2019

MEETING MINUTES

The Monroe County Development Review Committee conducted a meeting on **Tuesday, September 24, 2019**, beginning at 1:00 p.m. at the Marathon Government Center, Media & Conference Room (1st floor, rear hallway), 2798 Overseas Highway, Marathon, Florida.

CALL TO ORDER by Emily Schemper

ROLL CALL by Debra Roberts

DRC MEMBERS

Emily Schemper, Senior Director of Planning and Environmental Resources	Present
Cheryl Cioffari, Assistant Director of Planning	Present
Bradley Stein, Development Review Manager	Present
Mike Roberts, Sr. Administrator, Environmental Resources	Present
Judy Clarke, Engineering Department Representative	Present

STAFF MEMBERS

Steve Williams, Assistant County Attorney	Present
Devin Rains, Planning & Development Permit Services Manager	Absent
Liz Lustberg, Planner	Present
Janene Sclafani, Transportation Planner	Absent
Debra Roberts, Senior Coordinator	Present

APPLICANTS & PUBLIC PRESENT

Debbie Batty	Richard McChesney	Chelsea Vanadia
Anthony Davila	Richard McChesney	
William Horn	Stuart Schaffer	

CHANGES TO THE AGENDA

There were no changes to the agenda.

MINUTES FOR APPROVAL

Approval of the meeting minutes for Tuesday, August 27, 2019.

MEETING

1. MOBILE HOMES HOLDINGS COCO, LLC, 21585 OLD STATE ROAD 4A, CUDJOE KEY, MILE MARKER 21.6: A PUBLIC MEETING CONCERNING A REQUEST FOR A MAJOR CONDITIONAL USE PERMIT FOR THE REDEVELOPMENT TO INCLUDE AN ADDITIONAL SIXTEEN (16) MULTIFAMILY EMPLOYEE HOUSING DWELLING UNITS. THE SUBJECT PROPERTY IS LEGALLY DESCRIBED AS LOT 30 SACARMA, A SUBDIVISION OF GOVERNMENT LOTS 3 AND 4 IN SECTION 29, TOWNSHIP 66

SOUTH, RANGE 28 EAST, CUDJOE KEY, MONROE COUNTY, FLORIDA, RECORDED IN PLAT BOOK 2, PAGE 48 OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA., HAVING PARCEL ID NUMBER 00174960-000000. (FILE # 2019-057)

Mr. Bradley Stein, Development Review Manager, presented the staff report. This is a Major Conditional Use Permit due to having more than 18 dwelling units for employee housing. These multi-family units will be in front of the existing mobile home park. Relevant prior County actions include the BOCC adopting a Comp Plan Text Amendment for a Subarea Policy to achieve this density and allow this development on February 20, 2019, which became effective on March 22, 2019. Additionally, FLUM and LUD map amendments were also heard on February 20, 2019, with the FLUM becoming effective on March 22, 2019, and the LUD becoming effective on May 6, 2019. Mr. Stein reviewed items not in compliance or still under review. A Level One Traffic Study is currently under review by ACOM, the County's traffic consultant. There are also corrections which staff recommends having completed prior to moving forward to the Planning Commission. There is a request for an administrative waiver for the front yard setback to 15 feet rather than 25 feet. A new landscape plan was submitted on September 20, 2019, which is awaiting full review for compliance with the LDC. Recommended actions include the revised traffic study showing compliance with LDC Section 114-200; a complete application for the administrative waiver for the front yard setback to be submitted prior to scheduling with Planning Commission; and the landscape plan must be reviewed by the County Biologist and found to be in compliance. Prior to building permit issuance, lighting and site plan details and a photometric plan shall be provided, a grant of conservation easement running in favor of the County, scope of work for the building permit shall be found in compliance by the Building Department, Floodplain Administrator and Office of the Fire Marshall, and FDOT must review any proposed work within the State right-of-way. This project is on State Road 4A which is FDOT's property. The applicant is responsible for obtaining all permits before starting work and a letter of intent is required

Ms. Emily Schemper asked Ms. Judy Clarke, Engineering Department Representative, if State Road 4A is maintained by the County or FDOT. Ms. Clarke responded that this is FDOT's road and the right-of-way permit needs to be obtained from them. Ms. Schemper asked for further staff comments or questions. Ms. Clarke indicated she had not seen the revised traffic study, but noted that the one previously submitted states the access road is a two-lane roadway and it is only one lane. There is a driveway cut coming from U.S. 1. Mr. Stein indicated he had incorporated that comment from Engineering into the staff report. Ms. Schemper stated she would double-check the revised traffic study and intends to speak with ACOM this afternoon to get this nailed down.

Ms. Schemper then asked for public comment. Ms. Chelsea Vanadia, representing the applicant, thanked staff for their work on this file, adding that they had just submitted the variance application and they would address everything from this meeting and in the staff report.

Mr. Stuart Schaffer spoke on behalf of Cudjoe Gardens POA, indicating their interest in this project, that they support workforce housing on Cudjoe Key as appropriate and did not oppose this project when before the BOCC. They support adding workforce housing for employees of nearby businesses as appropriate for this Zoning District while preserving the rural, casual island

nature of Cudjoe Key, and would like six points addressed. 1) That the 25-foot setback is appropriate and should not be waived. 2) A landscape screening buffer should be included in the front of this project and they request the developers work with the community in determining appropriate plantings. 3) The lighting plan should exceed County Code, particularly as to low night-sky lighting that is consistent with the Fish and Wildlife recommendations. 4) Before COs are issued for new units constructed, a Code Compliance inspection needs to be done on the existing dwelling units ensuring they meet applicable County standards, such as appropriate hurricane tie-downs. It is inappropriate to add units to the property without existing units being in compliance. 5) The new units should be required to be deed restricted as rental only. 6) The existing units are deed restricted to income levels at 25 percent each, moderate, medium, low and very low; and in this area it is more appropriate than usual to go with lower income levels to correspond with local employment opportunities in the nearby area. The request is that the income levels be specified, and be at no higher than the existing deed restrictions at 25 percent each level.

There was no further public comment. Public comment was closed.

2. KEY HAVEN ESTATES, LLC, TRACT 1 AND 1A KEY HAVEN ROAD, KEY HAVEN, MILE MARKER 5: A PUBLIC MEETING CONCERNING A REQUEST FOR A MINOR CONDITIONAL USE PERMIT. THE REQUESTED APPROVAL IS REQUIRED FOR THE DEVELOPMENT OF A NEW 8,810 SQUARE FOOT COMMERCIAL RETAIL, OFFICE, AND RESTAURANT BUILDING. THE SUBJECT PROPERTY IS LEGALLY DESCRIBED AS TRACTS 1 AND 1A, KEY HAVEN ESTATES SUBDIVISION (PLAT BOOK 7, PAGE 78), KEY HAVEN, MONROE COUNTY, FLORIDA, HAVING REAL ESTATE NUMBER 00141132-004400 AND 00141132-004500. (FILE 2019-068)

Ms. Liz Lustberg, Planner, presented the staff report. This property is on Key Haven and is the parcel just past the gas station at the turn-in from U.S. 1. This is a Tier III property, Mixed Use Commercial, with Zoning of Suburban Commercial. The applicant is proposing one building for office space, retail space and restaurant use. The uses are all permitted in the Zoning, the proposed floor area for these three uses are permitted in the Zoning, and the details such as setbacks, open space and parking comply with the Code, with a couple of issues that Biology has yet to address. Mr. Mike Roberts interjected that the parking lot landscaping and the species makeup of the palm trees and buffer on Key Haven Road need to be corrected, which is spelled out in the staff report. Ms. Lustberg continued, staff is recommending approval with two items being addressed prior to approval which are compliance with LDC Section 114-100 for parking lot landscaping that does not include the use of sod or turf, and a revised landscaping plan compliant with buffer yard requirements meeting LDC Section 114-126 for a Class C buffer yard, both of which must be submitted prior to approval. Staff recommends approval once that is done, and if approval is granted then the regular conditions including NROGO allocations would be required.

Ms. Schemper asked if the use of sod in the parking lot landscaping was the only remaining issue. Mr. Roberts indicated that was correct, along with palm trees being required. Ms. Schemper clarified that a revised landscaping plan must be fully in compliance before approval.

Mr. Steve Williams asked why no sod. Mr. Roberts stated that for parking lot landscaping, there is no sod to reduce need for irrigation and to keep things native.

Ms. Schemper asked for further staff questions or comments. There were none. Ms. Schemper asked for public comment. Mr. Richard McChesney spoke on behalf of the applicant, indicating that the architect, William Horn, and Debbie Batty as an applicant representative, were also present. Mr. McChesney stated that the requirements were straightforward, would be complied with, and he thanked staff for their help.

There was no further public comment. Public comment was closed.

3. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING MONROE COUNTY COMPREHENSIVE PLAN POLICY 701.1.6, ADOPTING THE 10-YEAR WATER SUPPLY FACILITIES WORK PLAN UPDATE TO BE CONSISTENT WITH THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT LOWER EAST COAST WATER SUPPLY PLAN UPDATE OF 2018, PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR INCLUSION IN THE MONROE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTIVE DATE. (FILE 2019-102)

Ms. Cheryl Cioffari, Assistant Director of Planning, presented the staff report. The Comp Plan requires the 10-year water supply plan to be updated every five years or within 18 months after the South Florida Water Management District updates a Regional Water Supply Plan which was done on November 8, 2018. Some of the bigger changes were regional issues coming from climate-related changes, expanding use of reclaimed water to meet future water supply demands, and the impacts of climate change and saltwater intrusion that is being seen within the aquifer systems. This is a minor change in Policy 701.1.6 updating the Water Supply Plan to August 2019, which is consistent with the Lower East Coast Water Supply Plan Update, and staff is recommending approval.

Ms. Schemper asked for questions or comments from staff. Mr. Williams mentioned a report from last week and read, "Given its birth and death rates, constant influx of newcomers, Florida's population is increasing by more than 900 people daily." Just based on population increases, water demand will increase 17 percent in the next 20 years to more than 7.5 billion gallons per day as population climbs to 25.2 million. Ms. Clark noted the statement that new sources need to be found rather than new ways to conserve. Mr. Roberts added that over half of the water usage is for golf course irrigation.

Ms. Schemper interjected that if there were no further questions or comments relevant to this item, the meeting could be adjourned.

ADJOURNMENT

The Development Review Committee meeting was adjourned at 1:22 p.m.